NOTES ON THE ORDINANCE OF 1787.

In the History of the Ordinance of 1787, publish ed in the National Intelligencer on the 6th of the present month, there are several errors, which, before they become "fixed facts," should be correct-

ed. These Notes furnish materials for the correction of some of them. On the first of March, 1784, a committee, cor sisting of Mr. JEFFERSON, of Virginia, Mr. CHASE, of Maryland, and Mr. Howell, of Rhode Island,

submitted to Congress the following Plan for the temporary government of the Western Territory:

The committee appointed to prepare a plan for the temporary government of the Western Territory have agreed to the

following resolutions:

Resolved, That the territory ceded or to be ceded by individual States to the United States, whensoever the same shall have been purchased of the Indian inhabitants and offered for sale by the United States, shall be formed into additional States, bounded in the following manner, as nearly as such cessions will admit; that is to say, northwardly and southwardly by parallels of latitude, so each State shall comprehend, from south to north, two de-grees of latitude, beginning to count from the completion of thirty-one degrees north of the equator; but any territory northwardly of the forty-seventh degree shall make part of the State next below. And eastwardly and westwardly they shall be bounded, those on the Mississippi by that river on one side and the meridian of the lowest point of the rapids of the Ohio on the other; and those adjoining on the east, by the same meridian of the western side, and on their eastern by the meridian of the western cape of the mouth of the Great Kennyaha. And the territory control of this last meridian. Kanawha. And the territory eastward of this last meridian, between the Ohio, Lake Erie, and Pennsylvania, shall be one

That the settlers within the territory so to be purchased and red for sale shall, either on their own petition or on the order of Congress, receive authority from them, with appoin ments of time and place, for their free males of full age to me together for the purpose of establishing a temporary govern-ment to adopt the constitution and laws of any one of these ation by their ordinary legislature, and to erect, subject to a like alteration, counties or townships for the election of mem-bers for their legislature.

That such temporary government shall only continue force in any State until it shall have acquired twenty thousar free inhabitants, when, giving due proof thereof to Congress they shall receive from them authority, with appointments of ne and place, to call a convention of representatives to esta

lish a permanent constitution and government for themselves.

Provided, That both the temporary and permanent governments be established on these principles as their basis:

1. That they shall forever remain a part of the United

That in their persons, property, and territory they shall be subject to the Government of the United States in Congress assembled, and to the Articles of Confederation in all those cases in which the original States shall be so subject 3. That they shall be subject to pay a part of the federal debts, contracted or to be contracted, to be apportioned of

them by Congress according to the same common rule and measure by which apportionments thereof shall be made on 4. That their respective governments shall be in republican forms, and shall admit no person to be a citizen who holds

any hereditary title.
5. That after the year 1800 of the Christian era there shall be neither slavery nor involuntary servitude in any of the said States, otherwise than in punishment of crimes, whereof the party shall have been duly convicted to have been personally

guilty.

That whensoever any of the said States shall have, of free inhabitants, as many as shall then be in any one of the leas numerous of the thirteen original States, such State shall be admitted by its delegates into the Congress of the United States on an equal footing with the said original States, after which ent of two-thirds of the United States, in Congress as led, shall be requisite in all those cases wherein, by the confederation, the assent of nine States is now required, pro vided the consent of nine States to such admission may be ob tained according to the eleventh of the articles of confederation. Until such admission by their delegates into Congress any of the said States, after the establishment of their tempo rary government, shall have authority to keep a sitting mem-ber in Congress, with a right of debating, but not of voting. That the territory northward of the forty-fifth degree, that

is to say, of the completion of forty-five degrees from the equator, and extending to the Lake of the Woods, shall be called Sylvania; that of the territory under the forty-fifth and forty-fourth degrees, that which lies westward of Lake Michigan shall be called Michigania; and that which is castward thereof, within the peninsula formed by the lakes and waters of Michigan, Huron, St. Clair, and Erie, shall be called Cherronesus, and shall include any part of the peninsula which may extend above the forty-fifth degree. Of the territory un-der the forty-third and forty-second degrees, that to the westugh which the Assenisipi or Rock river runs, shall be called Assenisipia; and that to the eastward, in which are the fountains of the Muskingum, the two Miamies of Ohio, the Wabash, the Illinois, the Miami of the Lake, and the Sandusky rivers, shall be called *Mctropotamia*. Of the territory which lies under the forty-first and fortieth degrees, the western, through which the river Illinois runs, shall be called ng, to the eastward, Saratoga; and that between this last and Pennsylvania, and extending from the Ohio to Lake Erie, shall be called Washington. Of the territory which lies under the thirty-ninth and thirty-eighth degrees, to which shall be added so much of the point of within the fork of the Ohio and Mississippi as lies under the thirty-seventh degree, that to the westward, within and adjacent to which are the confluences of the rivers Wabash, Shawanee, Tanisee, Ohio, Illinois, Mississippi, and Missouri, shall be called *Polypotamia*; and that to the eastward, farther up the Ohio, otherwise called the Pelisipi, shall be called

That all the preceding articles shall be formed into a charter of compact, shall be duly executed by the President of the United States, in Congress assembled, under his hand and the seal of the United States, shall be promulgated, and shall stand as fundamental conditions between the thirteen original States and those newly described, unalterable but by the join consent of the United States, in Congress assembled, and of the particular State within which such alteration is proposed

This report was recommitted to the same committee on the 17th of March, and a new one was submitted on the 22d of the same month. The second report agreed in substance with the first. The principal difference was the omission of the paragraph giving names to the States to be formed out of the Western Territory. It was taken up for consideration by Congress on the 19th of April, on which day, on the motion of Mr. Spaight, of North Carolina, the following clause was struck out :

"That, after the year 1800 of the Christian era, there shall be neither slavery nor involuntary servitude in any of the said States, otherwise than in the punishment of crimes whereof the party shall have been duly convicted to have been personally

The report was further considered and amended on the 20th and 21st. On the 23d it was agreed to, (ten States voting aye, and one no,) without the clause prohibiting slavery and involuntary servitude after the year 1800. On the question to agree to the report, after the prohibitory clause was struck out, the yeas and nays were required by Mr. Beresford. The vote was :

Mr. Blanchard, ave. Massachusetts Mr. Gerry, aye. Mr. Partridge, ave Rhode Island Mr. Ellery, aye. Mr. Howell, ave. Connecticut Mr. Sherman, aye. Mr. Wadsworth, aye. New York Mr. Dewitt, aye. Mr. Paine, ave. New Jersey Mr. Beatty, aye. Mr. Dick, aye. Pennsylvania . . . Mr. Miflin, aye. Mr. Montgomery, aye. Delaware.....(Absent.)
Mr. Stone, aye. Mr. Hand, aye Mr. Chase, aye. Virginia. Mr. Jefferson, aye. Mr. Mercer, aye. Mr. Monroe, aye.
North Carolina....Mr. Williamson, aye. South Carolina ... Mr. Spaight, aye. Mr. Beresford, no.

Georgia.....(Absent.)

New Hampshire. . . Mr. Foster, ave.

Thus the report of Mr. Jefferson for the temporary gov ernment of the Western Territory, without any restriction whatever as to slavery, received the vote of every State pre sent except South Carolina. It did not "lay on the table of Congress during the three years from 1784 to 1787. During these three years it was the law of the land. It was repealed in 1787.

Nearly a year after the first plan was adopted, the clause originally offered by Mr. Jefferson, as a part of the charter of original States and the new States to be formed in the Western Territory, prohibiting slavery and involuntary servitude was again submitted to Congress, omitting the time namedafter the year 1800 of the Christian era." On the 16th of March, 1785-

"A motion was made by Mr. King, seconded by Mr. El-ery, that the following proposition be committed:
"That there shall be neither slavery nor involuntary servitude in any of the States described in the resolve of Con-gress of the 23d of April, 1784, otherwise than in the punishgress of the 23d of April, 1783, otherwise than in the punishment of crimes, whereof the party shall have been personally guilty; and that this regulation shall be an article of compact, and remain a fundamental principle of the constitutions between the thirteen original States and each of the States described in the said resolve of the 23d of April, 1784."

The motion was, "that the following proposition be con mitted"-that is, committed to a Committee of the Whole House: it was not "in the nature of an instruction to the Committee on the Western Territory." At that time there was no such committee. It was a separate, independent proposition. The very terms of it show that it was offered as an addition to the resolve of April 23, 1784, with the intention of restoring to that resolve a clause that had originally form

Mr. King's motion to commit was agreed to-eight State (New Hampshire, Massachusetts, Rhode Island, Connecticur, New York, New Jersey, Pennsylvania, and Maryland) voted in the affirmative, and three States (Virginia, North Carolina, and South Carolina) in the negative. Neither Deaware nor Georgia was represented.

After the commitment of this proposition it was neither called up in Congress nor noticed by any of the committees who subsequently reported plans for the government of the

The subject was not laid over from this time till Septem ber, 1786. It is noticed as being before Congress on the 24th of March, the 10th of May, the 13th of July, and the 24th of August of that year.

On the 24th of March, 1786, a report was made by the grand committee of the House, to whom had been referred motion of Mr. Monroe upon the subject of the Western Territory.

On the 10th of May, 1786, a report was made by another ommittee, consisting of Mr. Monroe, of Virginia, Mr. Johnson, of Connecticut, Mr. King, of Massachusetts, Mr. Kean, of South Carolina, and Mr. Pinckney, of South Carolina, to whom a motion of Mr. Dane, for considering and reporting the form of a temporary government for the Western Terri tory was referred. This report, after amendment, was recommitted on the 13th of July following.

On the 24th of August, 1786, the Secretary of Congre was directed to inform the inhabitants of Kaskaskias "that Congress have under their consideration the plan of a temporary government for the said district, and that its adoption wil be no longer protracted than the importance of the subject and a due regard to their interest may require." On the 19th of September, 1786, a committee, consi

of Mr. Johnson, of Connecticut, Mr. Pinckney, of Sout Cirolina, Mr. Smith, of New York, Mr. Dane, of Massa. clusetts, and Mr. Henry, of Maryland, appointed to prepare a "plan of temporary government for such Districts or new States as shall be laid out by the United States upon the principles of the acts of cession from individual States, and dmitted into the Confederacy," made a report, which was taken up for consideration on the 29th; and, after some discussion and several motions to amend, the further consideraion was postponed.

On the 26th of April, 1787, the same committee (Mr. Johnson, Mr. Pinckney, Mr. Smith, Mr. Dane, and Mr. Henry) reported "An Ordinance for the government of the Western Territory." It was read a second time and amended on the 9th of May, when the next day was assigned for the third reading. On the 10th, the order of the day for the third reading was called for by the State of Massachusetts and was postponed. On the 9th and 10th of May, Massa chusetts was represented by Mr. Gorham, Mr. King, and Mr. Dane. 'The proposition which, on Mr. King's motion, was "committed" on the 16th of March of the preceding year, was not in the ordinance, as reported by the committee, nor was any motion made in the Congress to insert it as ar

The following is a copy of the ordinance as amended and ordered to a third reading :

An Ordinance for the Government of the Western Territory.
It is hereby ordained by the United States in Congress as

sembled, that there shall be appointed, from time to time, a Governor, whose commission shall continue in force for the term of three years, unless sooner revoked by Congress.

There shall be appointed by Congress, from time to time Secretary, whose commission shall continue in force for four years, unless sooner revoked by Congress. It shall be his duty to keep and preserve the acts and laws passed by the General Assembly, and public records of the district, and of and transmit authentic copies of such acts and proceeding every six months to the Secretary of Congress.

There shall also be appointed a court, to consist of thre judges, any two of whom shall form a court, who shall have common law jurisdiction, whose commissions shall contin

in force during good behavior.

And, to secure the rights of personal liberty and property the inhabitants and others, purchasers in the said d it is hereby ordained that the inhabitants of such district be entitled to the benefits of the act of habeas

corpus and of the trial by jury.

The governor and judges, or a majority of them, shall adopt and publish in the districts such laws of the original States, criminal and civil, as may be necessary and best suit ed to the circumstances of the district, and report them to Congress from time to time, which shall prevail in said dis trict until the organization of the General Assembly, unless disapproved of by Congress; but afterwards the General Assembly shall have authority to alter them as they shall think fit to alter them as they shall think fit provided, however, that said Assembly shall have no power

o create perpetuities.

The Governor for the time being shall be commander-in chief of the militia, and appoint and commission all officers in the same below the rank of general officers; all officers that rank shall be appointed and commissioned by Congress.

Previous to the organization of the General Assembly, the Governor shall appoint such magistrates and other civil offi-cers in each county or township as he shall find necessary for the preservation of peace and good order in the same. After the General Assembly shall be organized, the powers and du-ties of magistrates and other civil officers shall be regulated and defined by the said Assembly; but all magistrates and other civil officers, not herein otherwise directed, shall, during the continuance of this temporary Government, be appointed

by the Governor.

The Governor shall, as soon as may be, proceed to lay out the district into counties and townships, subject, however, to such alterations as may thereafter be made by the Legislature, so soon as there shall be five thousand free male inhabitants, of full age, within the said district. Upon giving due proof thereof to the Governor, they shall receive authority, with ime and place, to elect representatives from their counties o townships as aforesaid, to represent them in General Assembly: provided, that for every five hundred free male inhabitants there shall be one representative, and so on progressions. tants there shall be one representative, and so on progressively with the number of free male inhabitants shall the right of representation increase, until the number of representative to twenty-five; after which the number and propor tion of representatives shall be regulated by the Legisla provided, that no person shall be eligible or qualified to act as a representative unless he shall be a citizen of one of the Unia representative unless he shall be a citizen of one of the United States, or have resided within such district three years and shall likewise hold, in his own right, in fee simple, tw hundred acres of land within the same : provided, also, that a freehold or life estate in fifty acres of land in the said district, if a citizen of any of the United States, and two years' residence, if a foreigner, in addition, shall be necessary to qualify a man as elector for the said representative.

The representatives thus elected shall serve for the term of two years, and, in case of the death of a representative, or removal from office, the Governor shall issue a writ to the county or township for which he was a member to elect another in his stead, to serve for the residue of the time.

The General Assembly shall consist of the Governor, Legislative Council, to consist of five members, to be appointed by the United States in Congress assembled, to continue during pleasure, any three of whom to be a quorum, and a House of Representatives, who shall have a legislative authority complete in all cases for the good government of sembly shall be construed to affect any lands the property of the United States: and provided, further, that the lands of or sister of the intestate shall have in equal parts among said district : provided, that no act of the said General Asthe non-resident proprietors shall in no instance be taxed higher than the lands of residents.

All bills shall originate indifferently either in the Council or

House of Representatives, and, having been passed by a majority in both Houses, shall be referred to the Governor for his assent, after obtaining which they shall be jorty in both Houses, said by the referred to the Governor for his assent, after obtaining which they shall be complete and valid; but no bill or legislative act whatever shall be valid or of any force without his assent.

The Governor shall have power to convene, prorogue, and

part of the Federal debts, contracted or to be contracted, and to bear a proportional part of the burdens of the Government, to be apportioned on them by Congress, according to the same common rule and measure by which apportionments thereof shall be made on the other States.

The Governor, Judges, Legislative Council, Secretary, and such other officers as Congress shall at any time think proper to appoint in such district, shall take an oath or affirmation of fidelity; the Governor before the President of Congress, and all other officers before the Governor, prescribed on the 27th day of January, 1785, to the Secretary at War, mutatis

Whensoever any of the said States shall have of free inhabitants as many as are equal in number to the one-thirteenth part of the citizens of the original States, to be computed from the last enumeration, such State shall be admitted by its legates into the Congress of the United States, on an equal footing with the said original States : provided the consent of so many States in Congress is first obtained as may at that

ime be competent to such admission.

Resolved, That the resolutions of the 23d of April, 1784, e and the same are hereby annulled and repealed.

Such was the ordinance for the government of the Western erritory when it was ordered to a third reading on the 10th of May, 1787. It had then made no further progress in the development of those great principles for which it has since een distinguished as "one of the greatest monuments of civil jurisprudence." It made no provision for the equal distribution of estates. It said nothing of extending the fundanental principles of civil and religious liberty-nothing of the rights of conscience, knowledge, or education. It did not ontain the articles of compact, which were to remain unaltered forever, unless by common consent.

We now come to the time when these great principles wer first brought forward.

On the 9th of July, 1787, the ordinance was again refer ed. The committee now consisted of Mr. Carrington, o Virginia, Mr. Dane, of Massachusetts, Mr. R. H. Lee, of Virginia, Mr. Kean, of South Carolina, and Mr. Smith, of New York. Mr. Carrington, Mr. Lee, and Mr. Kean, the new members, were a majority.

This committee did not "merely revise the ordinance; they prepared and reported the great BILL OF RIGHTS for the erritory northwest of the Ohio.

The question is here presented, why was Mr. Carrington, new member of the committee, placed at the head of it, to the exclusion of Mr. Dane and Mr. Smith, who had served previously? In the absence of positive evidence, there appears to be but one answer to this question. The opinions of all the members were known in Congress. . In the course of debate new views had been presented, which must have been received with general approbation. A majority of the ommittee were the advocates of these views, and the member by whom they were presented to the House was selected as the chairman. There is nothing improbable or out of the usual course of proceeding in this. Indeed the prompt action of the committee and of the Congress goes very far to con-

On the 11th of July, (two days after the reference,) Mr Carrington reported the ordinance for the government of the erritory of the United States northwest of the river Ohio This ordinance was read a second time on the 12th, (and amended, as stated below;) and on the 13th it was read third time, and passed by the unanimous vote of the eight States present in the Congress. On the passage, the yeas and nays (being required by Mr.

Yates) were as follows:

New Hampshire . . (Absent.) Massachusetts . . . Mr. Holten, aye. Mr. Dane, aye. Rhode Island (Absent.) Connecticut (Absent.) New York Mr. Smith, aye. Mr. Haring, ave New Jersey Mr. Clarke, aye. Mr. Schureman, aye Pennsylvania . . . (Absent.) Delaware Mr. Kearney, aye. Maryland.....(Absent.)
Virginia......Mr. Grayson, aye. Mr. Carrington, ave. North Carolina ... Mr. Blount, aye. Mr. Hawkins, aye. South Carolina . . . Mr. Kean, aye. Georgia......Mr. Few, aye.

It appears, then, that, instead of having "this ordinan under deliberation and revision for three years and six months, in five days it was passed through all the forms of legislationthe reference, the action of the committee, the report, the three several readings, the discussion and amendment by Congress, and the final passage.

On the 12th of July, (as above stated,) Mr. Dane offered the following amendment, which was adopted as the sixth of the articles of the compact :

" Article the Sixth. There shall be neither slavery nor inoluntary servitude in the said territory, otherwise than in the ent of crimes whereof the party shall have been duly convicted: Provided always, That any person escaping into the same, from whom labor or service is claimed in any of the original States, such fugitive may be lawfully reclaimed and

This had, in part, been presented by Mr. Jefferson in 1784, and again by Mr. King in 1785. The assertion that this clause, "as it now exists in the ordinance," was "proposed and carried by Mr. King, when neither Jefferson nor Dane was resent," is singularly incorrect. In the proposition submitted by Mr. King in 1785, (which was never afterwards called up Congress,) there was no provision for reclaiming fugitives ; and without such a provision it could not have been carried at all : besides, the clause, " as it now exists in the ordinance, was proposed by Mr. Dane on the 12th of July, 1787, and carried by the unanimous vote of Congress when Mr. King was not present.

Mr. King was a member of the Convention for framing the Federal Constitution. He was present and voted in the Conrention on the 12th of July, 1787. The whole of that day vas occupied in settling the proportion of representation and direct taxation, which was then determined as it now stands in the Constitution, viz: "by adding to the whole number of ree persons, including those bound to service for a term of years, and excluding Indians, not taxed, three-fifths of all other persons."

The Congress and the Convention were both in session a the same time in Philadelphia. There was of course free inercourse and interchange of opinion between the members of the two bodies. To this may be attributed the adoption on the same day of the clause in the ordinance and the clause in the Constitution.

The accompanying copy of the ordinance shows the amendents made in Congress on the 12th of July to Mr. Carringon's report of the 11th. All that was struck out is printed in [italic,] what was inserted is in SMALL CAPITALS. The eader, on comparing this with the plans previously reported by Mr. Jefferson and by Mr. Johnson, will see that most of the rinciples on which "its wisdom and fame rests" were first resented by Mr. Carrington. P. F.

WASHINGTON, AUGUST 20, 1847.

An Ordinance for the Government of the Territory of the United States, Northwest of the River

Beit ordained by the United States in Congress assembled, That the said territory, for the purposes of temporary govern-ment, be one district; subject, however, to be divided into two districts, as future circumstances may, in the opinion of Congress, make it expedient.

Be it ordained by the authority aforesaid, That the estates both of resident and non-resident proprietors in the said terri-tory, dying intestate, shall descend to and be distributed among their children and the descendants of a deceased shild in equal parts; the descendants of a deceased child or grand-child to take the share of their deceased parent in equal parts among them; and where there shall be no children or de-scendants, then in equal parts to the next of kin, in equal deor sister of the intestate shall have in equal parts among them their deceased parent's share; AND THERE SHALL IN NO CASE preserving peace and friendship with them.

Article the Fourth. The said territory and the States which BE A DISTINCTION BETWEEN KINDRED OF THE WHOLE AND HALF ELOOD; saving in all cases to the widow of the intestate her third part of the real estate for life, and [where there shall be no children of the intestate] one-third part of the personal estate; and this law relative to descents and dower shall re-

The said inhabitants or settlers shall be subject to pay a attested by three witnesses; and real estates may be conveyed cording to the same common rule and measure by which apby lease and release, or bargain and sale, signed, sealed, and delivered by the person, being of full age, in whom the estate may be, and attested by two witnesses, provided such wills be duly proved, and such conveyances be acknowledged, or the execution thereof duly proved, and be recorded within one year after proper magistrates, courts, and registers shall be pointed for that purpose; and personal property may be insferred by delivery, saving, however, to the [inhabitants Kaskaskies and Post Vincent] FRENCH AND CANADIAN INheir laws and customs now in force among them relative to

the descent and conveyance of property.

Be it ordained by the authority aforesaid, That there shall be appointed from time to time, by Congress, a Governor, whose commission shall continue in force for the term of three years, unless sooner revoked by Congress; he shall reside in the district, and have a freehold estate therein, in one thousand acres of land, while in the exercise of his office.

There shall be appointed from time to time, by Congress, Secretary, whose commission shall continue in force for four years, unless sooner revoked; he shall reside in the district, and have a freehold estate therein, in five hundred acres of land, while in the exercise of his office. It shall be his duty to keep and preserve the acts and laws passed by the Legisla and the public records of the district, and the proceeding he Governor in his executive department, and transmit thentic copies of such acts and proceedings every six months to the Secretary of Congress. There shall also be appointed a Court to consist of three judges, any two of whom to form a court, who shall have a common law jurisdiction, and reside in the district, and have each therein a freehold estate in five hundred acres of land, while in the exercise of their offices and their commissions shall continue in force during good The Governor and Judges, or a majority of them, shall adopt

criminal and civil, as may be necessary and best suited to the circumstances of the district, and report them to Congress from time to time, which laws shall be in force in the district until the organization of the General Assembly therein, unless disapproved of by Congress; but afterwards the Legisla-ture shall have authority to alter them as they shall think fit.

The covernor for the time being shall be commander-in-chief of the militia, appoint and commission all officers in the same below the rank of general officers; all GENERAL officers [above

that rank] shall be appointed and commissioned by Congress.

Previous to the organization of the General Assembly, the Governor shall appoint such magistrates and other civil officers, eservation of the peace and good order in the same. the General Assimbly shall be organized, the powers and du-ties of magistrates and other civil officers shall be regulated and defined by the said Assembly; but all magistrates and other civil officers, not herein otherwise directed, shall, during the continuance of this temporary government, be appointed by

the Governor.

For the preventon of crimes and injuries, the laws to be adopted or made stall have force in all parts of the district, and for the execution of process, criminal and civil, the Governor shall make proper disions thereof; and he shall proceed from the control of the control o time to time, as circumstances may require, to lay out the parts of the district in which the Indian titles shall have been extinguished into counties and townships, subject, however, to suc alterations as may the eafter be made by the Legislature.

So soon as there shill be five thousand free male inhabits of full age, in the district, upon giving proof thereof to the Governor, they shall receive authority, with time and place, to elect Representative from their counties or townships, to represent them in the General Assembly, provided that, for every five hundred free male inhabitants, there shall be one repre-sentative, and so on progressively with the number of free male inhabitants shall the right of representation increase, until the number of representatives shall amount to twenty-five, after which the number and proportion of representatives shall be regulated by the Legislature; provided that no person be eligible or qualified to act as a representative unless he shall have been a citizen of one of the United States three years and be a resident in the district, or unless he shall have resided in the district three years, and in either case shall likewise hold in his own right, in fee simple, two hundred acres of land within the same: Provided also, that a freehold in fifty acres of land in the district, having been a citizen of one of the States, and being resident in the district, or the like freehold and two years' residence in the district, shall be necessary to qualify a man as an elector of a representative.

The Representatives thus elected shall serve for the term of two years, and, in case of the death of the representative, or from office, the Governor shall issue a writ to the county or township for which he was a member to elect another in his stead, to serve for the residue of the term. 'The General Assembly, or Legislature, shall consist of th

Governor, Legislative Council, and a House of Representa-tives. The Legislative Council shall consist of five members, to continue in office five years, unless sooner removed by Congress, any three of whom to be a quorum, and the members of the Council shall be nominated and appointed in the following outil shall be nominated and appointed in the following manner, jo wit: As soon as Representatives shall be elect-ed, the Governor shall appoint a time and place for them to eet together, and, when met, they shall nominate ten persons, residents in the district, and each possessed of a freehol in five hundred acres of land, and return their names to Con gress; five of whom Congress shall appoint and commission serve as aforesaid; and whenever a vacancy shall happen in the Council, by death or removal from office, the House of depresentatives shall nominate two persons, qualified as afore said, for each vacancy, and return their names to Congress : one of whom Congress shall appoint and commiss the residue of the term; and every five years, four months bers of Council, the said House shall nominate ten sons, qualified as aforesaid, and return their names to Conive of whom Congress shall appoint and commission serve as members of the Council five years, unless sooner re-moved. And the Governor, Legislative Council, and House of Representatives, shall have authority to make laws in all cases for the good government of the district, not repugnant to the principles and articles in this ordinance established and declared. And all bills having passed by a majority in the House, and by a majority in the Council, shall be referred to the Governor for his assent; but no bill or legislative act whatever shall be of any force without his assent. The Governor all have power to convene, prorogue, and dissolve the Gen-

eral Assembly, when in his opinion it shall be expedient.

The Governor, Judges, Legislative Council, Secretary, an such other officers as Concress shall appoint in the district, shall take an oath or affirmation of fidelity and of office. fficers before the Governor. As soon as a Legislature shall be formed in the district, the Council and House, assembled in gate to Congress, who shall have a seat in Congress, with a right of debating, but not of voting, during this temporary

And for extending [to all parts of the Confederacy] the funmental principles of civil and religious liberty, which form the basis whereon these Republics, their laws and constitutions are erected; to fix and establish those principles as the basis of all laws, constitutions, and governments, which forever here-after shall be formed in the said territory; to provide also for the establishment of States, and permanent government therein, and for their admission to a share in the Federal Councils on an equal footing with the original States, at as early periods as may be consistent with the general interest:

It is hereby ordained and declared by the authority afore-

said, That the following articles shall be considered as articles of compact between the original States and the People and States in the said territory, and forever remain unalterable. n the said territory, and forever remain unalterable unless by common consent, to wit :

Article the First. No person, demeaning himself in a peaceable and orderly manner, shall ever be molested on account o his mode of worship or religious sentiments in the said territory. Article the Second. The inhabitants of the said territory shall always be entitled to the benefits of the writ of habea corpus and of the trial by jury; of a proportionate representa-tion of the people in the Legislature, and of judicial proceedings according to the course of the common law; all persons shall be ballable unless for capital offences, where the proof shall be evident or the presumption great; all fines shall be moderate, and no cruel or unusual punishments shall be in-flicted; no man shall be deprived of his liberty or property but by the judgment of his peers, or the law of the land; and should the public exigencies make it necessary for the common preservation to take any person's property, or to demand his particular services, full compensation shall be made for the articular services, full compensation same; and, in the just preservation of rights and property, or have force in the said territory that shall in any manner what ever interfere with or affect private contracts or engagements sona fide and without fraud previously formed.

Article the Third. [Institutions for the promotion of eligion [and] morality, AND KNOWLEDGE, BEING NECESSARY TO GOOD GOVERNMENT AND THE HAPPINESS OF MARKIND schools and the means of education shall forever be encouraged. [and all persons while young shall be taught some use] occupation.] The utmost good faith shall always be observed towards the Indians; their lands and property shall never be taken from them without their consent; and in their property, rights, and liberty they never shall be invaded or disturbed, unless in just and lawful wars authorized by Congress; but laws founded in justice and humanity shall from time to time be made, for preventing wrongs being done to them, and for

estate; and this law relative to descents and dower shall remain in full force until altered by the Legislature of the district. And until the Governor and Judges shall adopt laws as hereinafter mentioned, estates in the said territory may be devised or bequeathed by wills in writing, signed and sealed by him or her in whom the estate may be, (being of full age,) and of Government, to be apportioned on them by Congress, ac-

portionments thereof shall be made on the other States; and the taxes for paying their proportion shall be lail and levied by the authority and direction of the Legislature of the dis-

trict or districts, or new States, as in the original Sates, within the time agreed upon by the United States in Congress assembled. The Legislatures of those districts, or new States, shall never interfere with the primary disposal of the soil by the United States in Congress assembled, nor with any regulations Congress may find necessary for securing the title in such soil ABITANTS, AND OTHER SETTLERS OF THE KASKASKIES, SAINT to the bona fide purchasers. No tax shall be imposed on lands the property of the United States; and in no case shall non-terretorore properties be taxed higher than resident. The na-No tax shall be imposed on lands vigable waters leading into the Mississippi and S. Lawrence and the carrying places between the same shall be common highways, and forever free, as well to the inhabitants said territory as to the citizens of the United States, and those of any other States that may be admitted into the Confederacy, without any tax, impost, or duty therefor.

Article the Fifth. There shall be formed in the said terri-

ory not less than three nor more than five States; and the oundaries of the States, as soon as Virginia shall alter her act cession and [authorize] CONSENT TO the same, stall become fixed and established as follows, to wit: The western State in THE said territory shall be bounded by the Mississippi, the Ohio, and Wabash rivers; a direct line drawn from the Wabash and Post Vincent's due north to the territorial line between the United States and Canada, and by THE sail territorial line to the Lake of the Woods and Mississippi. The middle State shall be bounded by the said direct line, the Wabash from Post Vincent's to the Ohio; by the Ohio, by a direct line drawn due north from the mouth of the Great Miami to THE said territorial line, and by THE said territorial line. The eastern State shall be bounded by the last mentioned direct line, the Ohio, Pennsylvania, and the said territorial line: Provided, however, and it is further understood and declared that the boundaries of these three States shall be subject so for to be altered, that if Congress shall hereafter find it expedient they shall have authority to form one or two States in that part of the said territory which lies north of an east and west line drawn through the southerly bend or extreme of Lake Michi-gan : and whenever any of the said States shall have sixty thousand free inhabitants therein, such State shall be admitted by its delegates into the Congress of the United States, on an equal footing with the original States in all respects whatever and shall be at liberty to form a permanent constitution an State government: Provided the constitution and government so to be formed shall be republican, and in conformity to the principles contained in these articles; and, so far as it can be onsistent with the general interest of the Confederacy, such admission shall be allowed at an earlier period, and when there may be a less number of free inhabitants in the State than

Article the Sixth. THERE SHALL BE NEITHER SLAVERY OR INVOLUNTARY SERVITUDE IN THE SAID TERRITORY, OTHERWISE THAN IN PUNISHMENT OF CRIMES WHEREOF THE ARTY SHALL HAVE BEEN DULY CONVICTED: PROVIDED AL-WAYS, THAT ANY PERSON ESCAPING INTO THE SAME, FROM WHOM LABOR OR SERVICE IS LAWFULLY CLAIMED IN ANY INE OF THE ORIGINAL STATES, SUCH FUGITIVE MAY BE LAWFULLY RECLAIMED AND CONVEYED TO THE PERSON LAIMING HIS OR HER LABOR OR SERVICE AS AFORESAID. Be it ordained by the authority aforesaid, That the reso lutions of the 23d of April, 1784, RELATIVE TO THE SUBJECT

OF THIS ORDINANCE, be and the same are hereby repealed and eclared null and void.

Done by the United States in Congress assembled, the

13th day of July, in the year of our Lord 1787, and o their sovereignty and independence the 12th. CHAS. THOMSON, Sec'y.

AFFAIRS IN ROME. (ITALY.)

Rome has just escaped from a sort of counter fuch doubt has been thrown upon the reports, but the main acts appear to have been ascertained. It is not surprising, owever, that incredulity should have been the first feeling; o absurd and wild was the plot ascribed to the conspirators The tale is, that a conspiracy was arranged under the auspices of Cardinal Lambruschini, and the leadership of Colonel Freddi, Chief of the Mounted Police or Carabineers, to set upon the populace and massacre them; the day fixed upon was the anniversary of the amnesty, when the people would have been collected in the streets. The presumed object of the conspiracy was to impart to Rome an aspect of turbulence, in order to show that it was not prepared for freedom, and so possibly to afford a pretext for Austrian intervention.

The mere absurdity of such a project is no sufficient ground for disbelief. Hitherto Italian politics have almost uniformly been of a bookish nature ; the friends of liberty have derived their inspiration from literature, and have shaped their tactics on literary models ; and, although the opposite party might be supposed to possess the wordly experience derivable from a ractical acquaintance with affairs, in point of fact they shared the genius of the country, and acted less upon practical experience or clear scientific knowledge than upon tradition and logma. The practical style of administration and reform inroduced by Pius the Ninth is a startling innovation, which even the more intellectually active Liberal party was slow to comprehend or appreciate; and we must not wonder if the Conservative party of Italy remains still in the region of sookish politics.

The probability that the reports are true is confirmed by strange and otherwise unaccountable demonstrations of the Austrians on the western side of the Roman States.

hazarded, it is very likely that the conspirators, on obtaining ossession of Rome, would have affected to consider that the Sovereign Pontiff had previously been under coercion by the mob; and so, while pretending to guard him, they might have sought to reduce him to a puppet, or to put him out of the way.

The upshot of the movement has been to strengthen the new and popular influences. The class of professed politicians has been usefully weeded: among others, the Governor of Rome, always an object of doubt, has been dismissed The defence of Rome has been confided to the Romans, now rganized as a National or Civic Guard; and with arms poitical power has been handed over to the middle class as enstituent part of the State. It will be found that this difusion of responsibility with power strengthens instead of weakens the Government.-London Spectator, July 31.

In the church, near the seat of Fernhill, where repose the emains of the late Lord Metcalfe, a tablet has been erected, and inscribed with a suitable epitaph, from the pen of the Hon. Thomas B. Macaulay. As a mere piece of composition, it is worthy alike of the subject and the author : Near this Stone is laid

CHARLES THEOPHILUS, first and last Lord

METCALFE,
A Statesman tried in many high posts and difficult conjunctures, And found equal to all : The three greatest dependencies of the British Crown Were successively entrusted to his care. In India his Fortitude, his Wisdom, his Probity and his Moderation, Are held in Honorable Remembrance By men of many Races, Languages, and Religions In Jamaica, still convulsed by a Social Revolution,

He calmed the Evil Passions Which Long Suffering had engendered in one class, Which Long Suffering had engendered in one class
And Long Domination in another;
In Canada, not yet recovered from the calamities
of Civil War,
He reconciled contending Factions
To-each other, and to the Mother Country.
Public Esteem was the just reward of his Public

Virtue, But those only who enjoyed the Privilege of his Friendship
Could appreciate the whole worth of his Gentle and Noble Nature.

Costly Monuments in Asiatic and American Cities Attest the Gratitude of Nations which he Ruled. This Tablet records the Sorrow and Pride With which his Memory is cherished by

Private Affection.

Power or EARNESTNESS .- This earnest force is, in fact,

ne main element in the impressiveness of public speaking, carries conviction to the minds of the hearers with a power hat nothing else can give. Its absence is an ireparable defect. Sincerity is not enough; a desire to be useful is not enough. Men must have that ardent impulse which, breaking through every barrier, attests to the world their sincerity, urging them to the most devoted efforts in the diffusion of They must be distinguished by peculiar energy; they must have moral power to compel respectful at may be formed therein, shall forever remain a part of this veloped in religious agency, would find vent in some other Confederacy of the United States of America, subject to the direction. Their advocacy could not be marked with cool inarticles of Confederation, and to such alterations therein as difference, or by a suspicious sincerity. It is apart of their

NEW YORK CORRESPONDENCE. NEW YORK, AUGUST 24, 1847.

The Sinbad Stories in the New York Sun yeserday and to-day, about Mexican affairs, are marvellous in the extreme. And yet they are given with such minuteness of detail and moon-hoax particularity that most of our leading journals seem to have been taken in by them, and swallowed the bait, hook and all. The Sinbad of the Sun left the city of Mexico on the 30th of July, and brought long letters from the Sun's correspondent up to the very moment of his starting. He fought his way, single-handed, from the city of Mexico to Vera Cruz, through ever so many fierce and bloody guerrilla bands, and more robbers, murderers, and cut-throats than you could shake a stick at. At one time he had some twenty armed Mexican guides, but, seeing treachery in their faces, he took their arms from them, shot their leader dead upon the spot, and the rest begging piteously for their lives, he let them escape, and pursued his way alone, shooting down robbers and fighting guerrilla bands all weathers. He stopped at Pinon Pass, where thirty thousand Mexicans were at work, erecting tremendous fortifications and an observatory for Santa Anna, thirty feet higher than the surrounding mountains, and perfectly "safe from cannon shot," where he is to watch the great battle, and, if he is defeated, he is to retreat by a "private path" back to the city of Mexico. Having no fear of these thirty thousand Mexicans, the brave Sinbad stopped at Pinon Pass long enough to draw a nice little map of the place, fortifications, mountains, and all-including the convenient little private path by which Santa Anna is to retreat to Mexico after his defeat, and the whole is nicely engraved and ap-

Sinbad then pushed on to Vera Cruz, where he turned his five-hundred-dollar horse adrift, rushed into the city, whispered a word in the ear of the Collector, and by a smart jump got on board the steamer for Havana as she was pushing from the wharf. From Havana he brought this wonderful news here to enlighten the country. The battle is to be a tremendous one. Scott has twenty thousand men, and Santa Anna between fifty and a hundred thousand! Scott is feeding his men at six cents apiece for potatoes and a dollar a dozen for eggs. Mexico is still keeping up a great row about the escape of Mr. Beach (editor of the Sun) from the clutches of Santa Anna last winter! We shall wait with great impatience for English Grammars, or Grammars of the English Lan-

guage.-Truly we ought to be a grammatical people, and,i we are not, it cannot be for the want of books professing to teach the mysteries of etymology and syntax. Here I have just taken up a little book, recently published in Philadelphia, entitled "A Grammatical Corrector, or Vocabulary of the Common Errors of Speech," being a collection of nearly two thousand barbarisms, cant phrases, provincialisms, &c. The author, Seth T. Hurd, who has been several years collecting his materials, gives a list of American grammars of the English language, which he has consulted in preparing his book; and I was so struck with the length of the counted them up, and found the number to be ninety-two. It is not probable that he has stumbled upon near all the American grammars that have been published, but this list alone ought to be sufficient, one would think, to enable the whole ountry to talk grammar like a book. But this is not all. The author gives a list also of forty-

two British grammars of the English language, which he has consulted during the same time. This evidence would rather seem to indicate that our people are more given to making grammars than the English; but in the matter of dictionaries, according to the same evidence, the English are rather ahead of us; for, while he gives a list of ten American die ionaries which he has consulted in the course of his labors. his English list swells to twenty-four.

Man is a book-making animal; that should be his definition; for, if he has one propensity stronger than another, it is the one leading him in that direction. If, in the time of Solomon, it could be said, "Of making many books there is no end," it certainly would be no libel on the world now to aver that it has held its own in that respect remarkably well. The book business of this city alone would astonish the country by its magnitude, could the statistics be fairly presented to view ; but I did not think of touching upon this subject now, though I may at some other time. One single fact, in passing, I will mention. One house in this city has paid, barely for the paper on which they printed a single book, in less than two years, seventy-six thousand dollars. I had the statement from one of the firm, and have no doubt of its truth. The book, of course, was large, and the sale very great.

I recollect seeing it stated, several years ago, that a project was started for having one of the Western Territories set o by the General Government for the purpose of piling away superfluous books. But that internal improvement has been so long neglected that those Territories are now otherwise occupied. However, perhaps we may yet find relief in the matter; for, when Mr. Polk gets possession of the whole of Mexico, there will doubtless be room to pile away a few. And it strikes me now that this may be, after all, "what we are fighting for."

I attended last Saturday the funeral services of PETER G. STUYVESANT, who died a few days since, as you have already seen by the papers, while in a bath at Niagara. He was a lineal descendant of Governor Stuyvesant, was about eventy-five years of age, and was considered by many as standing at the head of the old and respectable aristocracy of New York. He inherited a large estate from his ancestors, which had been much increased during his own life, and at his death he was supposed to be exceeded in wealth by no one in New York except John Jacob Astor. He has left no family except a wife. He had two or three children by a former wife, but they sleep with their mother in the family vault; and how the millions of his possessions are to be disposed of is not known. He has probably left a will, which nay soon be made public.

His funeral was attended without parade or extra ceremony, hough there was a large representation of the old families and the wealth and respectability of the city present. He resided on the old family estate, about three miles up town, and within a stone's throw of the spot where stood the old mansion of his renowned ancestor. Two or three years since, he erected a large and magnificent dwelling, in which to spend the evening of his days; but ere he had hardly time to become accustomed to his new habitation, the silver cord is loosed, and the pitcher literally broken at the fountain.

The funeral guests assembled at his late residence and followed the corpse a very few rods to St. Mark's church, where the solemnities of the Episcopal service were performed, and the coffin was then deposited in the old Stuyvesant vault, under the church. The present church building has been erected about half century, but stands on the same spot where stood the old church in which Governor Stuyvesant used to worship, and near by the old pear tree which he planted some two hundred years ago, and which still continues to bear fruit, though it is a hundred and sixty-five years since the Governor himself fell asleep.

In the church-yard of St. Mark's are many family vaults of old and wealthy families, the entrances to which are generally marked by horizontal slabs of free stone or marble, with brief inscriptions, and among them I noticed that of Daniel D. Tompkins, formerly Vice President of the United States. Some of the tablets are so old that the lettering is nearly effaced.

The Stuyvesant vault is under the church, the entrance being on the outside of the building. After the corpse was deposited, I went into the vault, which may be fifteen or twenty feet in length, and ten or twelve in width, with a low arch of about six feet in height. It now contains nine coffins of grown persons, and five or six children. And among them rest the remains of Petrus Stuyvesant, who, though the pen of genius has embalmed his memory in burlesque, was undoubtedly an able and worthy governor and a brave and gallant soldier. On a tablet in the wall of the church, directly over the entrance to the vault, is this inscription.

In this vault lies buried Late Captain-General and Governor-in-chief of Amsterdam, in New Netherland, now called New York, And the Dutch West India Islands. Died in August A. D. 1682, aged 80 years.

A splendid sword and epaulets have been presented to Lieut. HUNTER, the victor of Alvarado, by citizens of New York. The presentation speech was made by JAMES T. BRApr, Esq. Many officers of the Army and Navy were present.